

# FEDERAL REGISTER

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Washington, Thursday, May 8, 1941

## The President

### EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 8712 OF MARCH 15, 1941, PRESCRIBING REGULATIONS GOVERNING THE EXPORTATION OF ARTICLES AND MATERIALS DESIGNATED IN PROCLAMATIONS ISSUED PURSUANT TO THE PROVISIONS OF SECTION 6 OF THE ACT OF CONGRESS APPROVED JULY 2, 1940.

By virtue of and pursuant to the authority vested in me by section 6 of the act of Congress approved July 2, 1940, entitled "An Act to expedite the strengthening of the national defense" (54 Stat. 712, 714), I hereby amend Executive Order No. 8712 of March 15, 1941, prescribing regulations governing the exportation of articles and materials designated in proclamations issued pursuant to the provisions of section 6 of the act of Congress approved July 2, 1940, by striking out and revoking paragraph numbered 11 thereof.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
May 6, 1941.

[No. 8752]

[F. R. Doc. 41-3315; Filed, May 7, 1941; 11:26 a. m.]

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### CHAPTER IX—SURPLUS MARKETING ADMINISTRATION

PART 908—WATERMELONS GROWN IN FLORIDA, GEORGIA, NORTH CAROLINA, AND SOUTH CAROLINA

TERMINATION OF THE ORDER AND THE MARKETING AGREEMENT REGULATING THE HANDLING OF WATERMELONS

Pursuant to the powers conferred upon the Secretary of Agriculture by Public Act No. 10, 73d Congress, as amended

16 F. R. 1501.

(hereinafter referred to as the "act"), for the purposes and within the limitations therein contained, and pursuant to the general regulations issued thereunder, the Secretary of Agriculture executed under his hand and the official seal of the Department of Agriculture a marketing agreement and an order regulating the handling of watermelons grown in Florida, Georgia, North Carolina, and South Carolina, which became effective on May 12, 1936.

It is hereby found and determined by the Secretary of Agriculture that the marketing agreement and the order regulating the handling of watermelons grown in Georgia, Florida, North Carolina, and South Carolina, do not tend to effectuate the declared policy of the act.

It is, therefore, ordered that the marketing agreement and the order regulating the handling of watermelons grown in Florida, Georgia, North Carolina, and South Carolina be hereby terminated, effective at 12:01 a. m., e. s. t., May 2, 1941, subject, however, to the following conditions:

(1) That the provisions of section 3, article XII [§ 908.14—*Proceedings after termination*], of the said marketing agreement and the said order, relating to proceedings subsequent to the termination of such marketing agreement and order, shall remain in force and effect for the purpose of enabling the control committee, established under such marketing agreement and order, to liquidate and settle all matters arising under the provisions of the said marketing agreement and order;

(2) That no obligation which has arisen under the said marketing agreement or order, or which may hereafter arise in connection with, by virtue of, or pursuant to, the said marketing agreement or order, shall be affected, waived, or terminated hereby; and

(3) That the said control committee, acting as joint trustees as provided in said section 3, article XII [§ 908.14—*Proceedings after termination*], shall have all of the powers and authority that may be necessary or proper in order to carry out the provisions thereof, and

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that such joint trustees shall perform the duties specified therein.

In witness whereof, the undersigned has executed this order in duplicate and has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 2d day of May 1941.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 41-3237; Filed, May 2, 1941; 11:47 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE

[General Order No. C-31]

#### PART 120—ALIEN SEAMEN

##### ADMISSION AND DEPORTATION

MAY 6, 1941.

Pursuant to the authority contained in sections 23 and 33 of the Act of February 5, 1917 (39 Stat. 892, 896; 8 U.S.C. 102, 168); sections 14, 15, 20, and 24 of the Act of May 26, 1924 (43 Stat. 162, 164, 166, 47 Stat. 524, 54 Stat. 711; 8 U.S.C. 214, 215, 167, 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); § 90.1, Title 8, Chapter I, Code of Federal Regulations (5 F.R. 3503) and all other authority conferred by law, the following changes in Part 120 of said Title 8, Chapter I, Code of Federal Regulations are hereby promulgated:

Sections 120.21 and 120.37 (Rule 7, Subd. E, Par. 5, as renumbered by G. O. 260, March 17, 1938,<sup>1</sup> and Rule 7, Subd. I, Par. 1, of the Immigration Rules and Regulations of January 1, 1930, Edition of December 31, 1936) are amended to read respectively as follows:

§ 120.21 *Alien seaman seeking entry in pursuit of calling; when ordered detained; waiver of crew list.* A bona fide alien seaman wishing to go ashore in the United States pursuant to the provision of section 3 (5) of the Immigration Act of 1924 may be granted shore leave for the period of time the vessel on which he arrives remains in the United States if he establishes to the satisfaction of the immigration officer at the port of arrival (a) that he is a bona fide seaman as defined in § 120.2 (Rule 7, Subd. A, Par. 2 of the aforesaid immigration rules and regulations), (b) that his name appears on the duly visaed crew list of the vessel on which he arrives, (c) that he is in possession of an identifying travel document in the nature of a passport showing his nationality and identity and bearing his fingerprints, and (d) that he has been registered as an alien and presents receipt on Form AR-103 issued within a year or is registered as an alien at time of inspection: *Provided*, That visa of crew list shall not be required with respect to an alien seaman who arrives on a vessel sailing between ports of the United States and Canada and Newfoundland which does not touch at ports of other countries: *Provided further*, That an alien seaman whose name is not included in the visa of an alien crew list may be allowed shore leave, if otherwise entitled thereto, upon the permission of the Secretary of State: *And provided further*, That where the vessel on which a bona fide seaman arrives, fails to depart to a foreign port or place within 30

days after the arrival of such vessel in the United States, the privilege of shore leave granted to such alien seaman shall be deemed to be terminated unless consent for extension thereof has been obtained from the Central Office. Where the immigration officer is not satisfied that an alien applying for shore leave as a bona fide seaman is entitled thereto, the immigration officer shall order the owner, charterer, agent, consignee or master of the vessel on which such seaman arrived to detain him on board and deport him in the manner provided by law. (Sec. 33, 39 Stat. 896, 8 U.S.C. 168; secs. 3 (5), 14, 15, 20, 43 Stat. 154, 162, 164, 47 Stat. 524, 607, 54 Stat. 711, 711, 8 U.S.C. 203, 214, 215, 167; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458)

§ 120.37 *Arrest and deportation of seamen; procedure.* An alien admitted temporarily as a bona fide alien seaman pursuant to section 3 (5) of the Immigration Act of 1924 shall be deemed to have abandoned his status as such when (a) he relinquishes his intention or fails to depart from the United States at the expiration of the time for which he was temporarily admitted, (b) engages in or seeks employment ashore for hire or in the coastwise trade, or (c) engages or seeks to engage in any business for profit not connected with his calling as a seaman. An alien who abandons his status as a bona fide seaman, or whose temporary admission is terminated under the third proviso to § 120.21 shall be taken into custody and deported in accordance with the provisions of section 14 of the above-mentioned Act. (Sec. 33, 39 Stat. 896, 8 U.S.C. 168; secs. 3 (5), 14, 15, 20, 43 Stat. 154, 162, 164, 47 Stat. 524, 607, 54 Stat. 711, 711, 8 U.S.C. 203, 214, 215, 167; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458)

[SEAL] LEMUEL B. SCHOFIELD,  
Special Assistant to the Attorney  
General in Charge Immigration  
and Naturalization Service.

Approved:

ROBERT H. JACKSON,  
Attorney General.

[F. R. Doc. 41-3314; Filed, May 7, 1941; 10:19 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### CHAPTER III—CLAIMS AND ACCOUNTS

#### PART 38—ALLOTMENTS OF PAY<sup>1</sup>

§ 38.20 *Payment of rent—commissioned officers, Army nurses, warrant officers, and enlisted men.* (a) Sec. 300 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940 (Public No. 861, 76th Congress, October 17, 1940), provides that—

<sup>1</sup> 3 F.R. 699.

<sup>1</sup> § 38.20 is added.

The Secretary of War \* \* \* is hereby empowered, subject to such regulations as he may prescribe, to order an allotment of the pay of a person in military service in reasonable proportion to discharge the rent of premises occupied for dwelling purposes by the wife, children, or other dependents of such person.

(b) The purpose of the above-quoted provision of law is to empower the Secretary of War to take the action authorized when it reasonably appears that such action will permit the continued occupancy of a dwelling by the dependents of a person in military service. Payments will be accomplished by deductions from pay, only after due authorization in each individual case by the War Department. However, such deductions will be discontinued, without War Department authorization, upon satisfactory proof made to the commanding officer of the individual concerned that such individual's dependents no longer occupy the dwelling. Suitable reports will be promptly forwarded to The Adjutant General in each case by the commanding officer who authorizes the discontinuance and will include pertinent statements with respect to the date of and reason for such discontinuance.

(c) Commanding officers having knowledge of an indebtedness for the rent of premises occupied for dwelling purposes by the wife, children, or other dependents of a commissioned officer, Army nurse, or warrant officer, will conduct a thorough investigation of the case. Appropriate report of such investigation, including specific recommendation whether a deduction of pay should be ordered, will be made to The Adjutant General only in those cases where the matter may not otherwise be satisfactorily disposed of by the local authorities. (Sec. 300 (4) Soldiers' and Sailors' Civil Relief Act of 1940, Public No. 861, 76th Congress, Oct. 17, 1940) [Sec. I, Cir. 75, W.D., Apr. 17, 1941 and Sec. I, Cir. 77, W.D., Apr. 19, 1941]

[SEAL] E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc. 41-3313; Filed, May 7, 1941;  
9:44 a. m.]

## TITLE 32—NATIONAL DEFENSE

### CHAPTER XI—OFFICE OF PRICE ADMINISTRATION AND CIVILIAN SUPPLY

[Supplement No. 1]

#### PRICE SCHEDULE NO. 1, AS AMENDED—SECOND-HAND MACHINE TOOLS<sup>1</sup>

Pursuant to section 5 of Price Schedule No. 1, and to facilitate the application of the Schedule, it is directed that the maximum prices of second-hand machine tools are to be computed in terms of percentages of the prices of equivalent new machine tools as of March 1, 1941, and

<sup>1</sup> 6 F.R. 1021, 1478.

shall not be computed with reference to current prices of new machine tools.

Issued this seventh day of May 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-3323; Filed, May 7, 1941;  
11:54 a. m.]

#### PRICE SCHEDULE NO. 2—ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT<sup>1</sup>

##### CORRECTION

Price Schedule No. 2, establishing maximum prices for aluminum scrap and secondary aluminum ingot, is corrected by striking from Column II of Appendix A thereof the figure of 13½ cents as the maximum price per pound for sales by dealers of old sheet aluminum and aluminum utensils and substituting therefor the figure of 12½ cents. This correction shall take effect as of May 5, 1941. A copy of Appendix A, as corrected, is attached.

LEON HENDERSON,  
Administrator.

MAY 7, 1941.

##### APPENDIX A

#### Maximum prices for aluminum scrap

[F. o. b. point of shipment]

| Grade of aluminum scrap <sup>1</sup>                         | Maximum price (per pound) on carload shipments <sup>2</sup> |                              |
|--|---|------------------------------|
|  | Col. I<br>Sale<br>by maker                                  | Col. II<br>Sale<br>by dealer |
| Pure Clips and Cable.....                                    | 13  | 14½                          |
| Segregated Alloy Sheet Clips.....                            | 12  | 13½                          |
| Old Sheet and Utensils.....                                  | 11  | 12½                          |
| Mixed Sheet Clips.....                                       | 11  | 12½                          |
| Cast Scrap and Forged Scrap, old and new, clean and dry..... | 11  | 12                           |
| Borings and Turnings other than No. 12, clean and dry.....   | 10  | 11½                          |
| No. 12 type Borings and Turnings clean and dry.....          | 9½  | 11                           |
| Pistons free of struts clean and dry.....                    | 11½   | 12½                          |
| Pistons with struts clean and dry.....                       | 9½  | 10½                          |

<sup>1</sup> Each grade shall include all types and qualities of scrap falling within the broad category named. However, the maximum prices are applicable to scrap which meets generally accepted maximum standards in the trade—as, for instance, the classifications of the National Association of Waste Materials Dealers, Inc., contained in its Circular O, effective June 1, 1940. Scrap which fails to meet such standards should be sold at prices less than the maximum.

<sup>2</sup> The price on less than carload shipments shall not exceed ½ cent under the maximum price on carload shipments. The minimum quantity making up a carload lot will be the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

[F. R. Doc. 41-3324; Filed, May 7, 1941;  
11:54 a. m.]

#### PRICE SCHEDULE NO. 4 REVISED—IRON AND STEEL SCRAP<sup>2</sup>

Since the issuance on April 3, 1941, of Price Schedule No. 4 establishing maximum prices for iron and steel scrap, information received by the Office of Price Administration and Civilian Supply and

<sup>1</sup> 6 F.R. 1593.

<sup>2</sup> 6 F.R. 1767.

inquiries made to this Office have established cause for amendment and clarification of the Price Schedule. Consequently, I am hereby amending the Price Schedule. The amendments to the Schedule, which became effective May 7, 1941, are incorporated in Price Schedule No. 4 Revised, attached hereto.

LEON HENDERSON,  
Administrator.

MAY 7, 1941.

#### MODIFICATION OF PRICE SCHEDULE NO. 4

Whereas the Office of Price Administration and Civilian Supply is charged with functions related to the maintenance of price stability and the prevention of undue price rises and price dislocations; and

Whereas the increased demand for iron and steel scrap has exerted inflationary pressure upon the prices thereof, and has already caused, and threatens still further to cause, speculative activity, and the withholding of iron and steel scrap from the market; and

Whereas prices of iron and steel scrap have risen to a degree that has caused price instability and dislocations injurious to the national defense; and

Whereas under the foregoing circumstances, the absence of any maximum price standards has militated against and in some cases rendered it impossible for the Government to obtain voluntary cooperation in maintaining price stability and in preventing excessive and speculative price increases; and

Whereas it appears that the establishment of maximum price standards is necessary to facilitate cooperation with the Government and prevention of a price policy tending to weaken the defense effort through disastrous inflation, undue burdens upon the Government, economic dislocations, price spiralling, and profiteering, and the establishment of such standards is otherwise necessary in the public interest and in the interest of national defense; and

Whereas on the basis of information secured by independent investigation by this Office and by the Office of Production Management and through cooperation of the trade, I find that the maximum prices as prescribed herein and set forth in Appendices A, B and C, annexed hereto, constitute reasonable limitations on prices for iron and steel scrap;

Now, therefore, in order to facilitate cooperation with the Government in maintaining price stability and in preventing excessive and speculative price increases injurious to the defense program and to the public interest and welfare, it is directed that,

1. Maximum prices on sales of iron and steel scrap other than railroad scrap. On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell, offer to sell, deliver, or transfer at a price, iron or steel scrap other than railroad scrap to the con-

sumer of such scrap, at prices higher than the prices set forth in Appendix A annexed hereto, and no consumer shall buy, offer to buy, or accept delivery of, iron and steel scrap other than railroad scrap at prices higher than the prices set forth in Appendix A, except as provided in Paragraphs 5 and 6 hereof. Lower prices may, however, be charged, demanded, paid or offered.

2. *Maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell, offer to sell, deliver, or transfer at a price, iron or steel railroad scrap to the consumer of such scrap, at prices higher than the prices set forth in Appendix B annexed hereto, and no consumer shall buy, offer to buy, or accept delivery of, iron and steel railroad scrap at prices higher than the prices established in Appendix B annexed hereto, except as provided in Paragraphs 5 and 6 hereof. Lower prices may, however, be charged, demanded, paid or offered.

3. *Maximum prices on sales of iron and steel scrap for export.* On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell or offer to sell for export, or deliver for export, iron and steel scrap, to any person at prices higher than the prices set forth in Appendix C annexed hereto and no consumer or agent or other person shall buy or offer to buy for export, or accept delivery of for export, iron and steel scrap at higher prices than the prices set forth in Appendix C annexed hereto, except as provided in Paragraphs 5 and 6 hereof. Lower prices may, however, be charged, demanded, paid or offered.

4. *Method of securing information governing maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, a sale of any grade of iron and steel railroad scrap for which no maximum price is published in Appendix B shall be made only after opportunity has been given any buyer of such scrap to learn the maximum price, if any, applicable to such sale by addressing an inquiry to the Office of Price Administration and Civilian Supply in Washington, D. C. In order to provide such opportunity, no sale of any such grade of iron or steel railroad scrap, concerning which a maximum price is applicable hereunder, shall be made, except as provided under Paragraph 5 below, until after the railroad maker thereof or other person has filed with the Office of Price Administration and Civilian Supply at Washington, D. C. the information required to determine with Appendix B annexed hereto, the maximum price thereby established for such grade, and until the Office of Price Administration and Civilian Supply has thereupon released a maximum price therefor.

5. *Extension to May 10, 1941 for uncompleted contracts.* (a) In the event that any person has, prior to April 3, 1941, acquired possession of, and owner-

ship in, iron and steel scrap at a price in excess of the maximum price established in this Price Schedule for the purpose of carrying out a contract for the sale of such scrap entered into prior to such date, such sale may be made and completed at the price contracted for, even though such price is in excess of the maximum price established herein, provided that deliveries are completed on or before May 10, 1941.

(b) Any person, who prior to April 3, 1941, entered into a contract at prices higher than the maximum prices established under this Price Schedule for the sale of iron and steel scrap:

(1) originating from a demolition operation commenced prior to April 3, 1941; or

(2) acquired prior to April 3, 1941, and accumulated at a point of shipment, for export or otherwise, and impossible, due to lack of transportation facilities, to deliver to the purchaser of such scrap,

may make and complete such sale at the prices contracted for provided that deliveries of such scrap are completed on or before May 10, 1941, or on a later date fixed by the Office of Price Administration and Civilian Supply upon application, supported by affidavits establishing a reasonable ground for extension beyond May 10, 1941.

6. *Commissions.* In the event that a consumer of iron and steel scrap shall employ an agent or broker to purchase iron and steel scrap for its use, such consumer may pay such agent or broker for such scrap a sum not exceeding the maximum prices established under this Schedule plus a commission of not more than 50¢ per gross ton. Such commission shall be payable only if (a) the agent or broker guarantees the quality and delivery of an agreed tonnage of the scrap; (b) the commission is shown as a separate charge in billing; (c) the scrap is invoiced at a price not higher than the maximum applicable herein; and (d) no dealer or broker splits or divides the commission allowed him by a consumer with the seller or sellers of the scrap or the consumer.

7. *Shipment—Limitation on use of certain kinds of iron and steel scrap.* (a) The shipment of iron and steel scrap shall, insofar as practicable, be routed through the channels customarily utilized by the maker, dealer, broker or consumer in order to minimize the necessity for cross-hauling and to prevent dislocation of the machinery of collection and preparation for consumption.

(b) Consumers, brokers, and dealers shall, to the greatest possible extent, refrain from the purchase, and steel mills (open hearths) from the use of the kinds and grades of iron and steel railroad scrap not essential to their production; i. e. rerolling rails scrap must be diverted to rerolling mills and not cut for melting purposes.

(c) A railroad maker of iron and steel scrap shall not sell such scrap off the line of his railroad, irrespective of price, until he has supplied consumers located on the

line of the railroad as they have been in the past customarily supplied with the iron and steel scrap originating on the railroad.

8. *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase or sale of iron and steel scrap, or of any other materials, or by way of any service or other charge, including transportation charges, or discount, premium or other privilege, or by any tying-agreement or trade understanding, or otherwise.

9. *Record-keeping requirements.* Every dealer in, and every maker, smelter, processor, broker, or consumer of, and every other person purchasing or selling iron and steel scrap shall, until such time as further information is deemed necessary or appropriate hereunder, keep for inspection by the Office of Price Administration and Civilian Supply and preserve for a period of not less than one year, complete and accurate records of:

(a) All purchases and sales of iron and steel scrap, recording therein the person from or to whom each such purchase or sale was made, the date thereof, the price paid, or received, and the quantity in pounds and quality by grades in iron and steel scrap, or both, involved; and

(b) As of the close of each month, the amount in pounds of iron and steel scrap, (i) on hand and (ii) on order.

10. *Reports of consumers' inventories and purchases of iron and steel scrap.* Every consumer of iron and steel scrap, on or before May 1, 1941, shall file a report with the Office of Price Administration and Civilian Supply, Washington, D. C., setting forth its total inventories of iron and steel scrap on hand on April 1, 1941. In addition every consumer who purchases iron and steel scrap shall, on or before the tenth day of the month following the month in which one or more purchases are made, file a report with the Division stating (a) the number of tons and the grade of the iron and steel scrap purchased, specifying whether such scrap was railroad scrap; (b) the price at which the purchase was made; (c) the amount of scrap melted during the previous month; and (d) the relationship of the scrap purchases during the previous month to the ingot or other production for that month.

11. *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, and other provisions contained in this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions contained in this Schedule, this Division will make every effort to assure (a) that the Congress and the public are fully informed of any failure to abide by the provisions of this Schedule; and (b) that the powers of the Government are fully exerted in order to protect the public interest and the

interests of those persons who conform with this Schedule in the maintenance of ceiling prices set forth herein. Persons who have evidence of the demand or receipt of prices above the limitations set forth, or of any evasion or effort to evade such requirements, or of speculation, or manipulation of prices of iron and steel scrap, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration and Civilian Supply.

12. *Supplemental schedules and reporting requirements.* In order to insure compliance with this Schedule supplements further stating its scope and, if necessary, requiring further reports to the Government, will be issued from time to time when found appropriate.

13. *Modification of the price schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration and Civilian Supply, Washington, D. C., for approval of any modification thereof or exception therefrom, and the Office of Price Administration and Civilian Supply may, upon its own initiative, and as and when it seems appropriate, modify or enlarge this Price Schedule and the maximum prices established hereunder.

14. *Definitions.* When used in this Schedule:

(a) the term "person" includes an individual, corporation, association, partnership, or other business entity;

(b) the term "iron and steel scrap other than railroad scrap" means the kinds and grades of imported and domestic iron and steel scrap referred to in Appendix A;

(c) the term "iron and steel railroad scrap" means iron and steel scrap having a railroad origin and includes the kinds and grades of imported and domestic iron and steel scrap referred to in, and determined under, Appendix B;

(d) the term "railroad" includes steam and electric railroads, and street, suburban, and interurban electric railways and local trolleys;

(e) the term "iron and steel scrap" means all kinds and grades of imported and domestic iron and steel scrap including iron and steel railroad scrap;

(f) the term "consumer" means a purchaser, for its own consumption, of iron or steel scrap, i. e. smelter, foundry, steel mill, etc.;

15. This Schedule shall become effective immediately, except as otherwise specifically provided herein.

Issued this 3d day of April 1941.

Sec. 2, 39 Stat. 649; order filed June 3, 1940, F.R. Doc. 40-2213 (5 F.R. 2114); order filed June 24, 1940, F.R. Doc. 40-2583 (5 F.R. 2381)

LEON HENDERSON,  
Commissioner.

## APPENDIX A

## MAXIMUM PRICES FOR IRON AND STEEL SCRAP OTHER THAN RAILROAD SCRAP

[All the maximum prices given below are per gross ton]

## I. Delivered to a Consumer Located Within a Consuming Point \* Named Below

[Prices stated are prices delivered to the consumer's plant]

| Grades  | Consuming points |                  |                    |                  |             |              |               |              |              |                      |
|---|------------------|------------------|--------------------|------------------|-------------|--------------|---------------|--------------|--------------|----------------------|
|   | Pittsburgh, Pa.  | Wheeling, W. Va. | Steubenville, Ohio | Youngstown, Ohio | Sharon, Pa. | Canton, Ohio | Chicago, Ill. | Kokomo, Ind. | Peoria, Ill. | South Bethlehem, Pa. |
| No. 1 heavy melting steel.....                            | \$30.00          | \$20.00          | \$20.00            | \$20.00          | \$20.00     | \$20.00      | \$18.75       | \$18.75      | \$18.75      | \$18.25              |
| No. 1 hydraulic compressed black sheet scrap.....         | 20.00            | 20.00            | 20.00              | 20.00            | 20.00       | 20.00        | 18.75         | 18.75        | 18.75        | 18.25                |
| No. 2 heavy melting steel.....                            | 19.00            | 19.00            | 19.00              | 19.00            | 19.00       | 19.00        | 17.75         | 17.75        | 17.75        | 17.25                |
| Dealers' No. 1 bundles.....                               | 19.00            | 19.00            | 19.00              | 19.00            | 19.00       | 19.00        | 17.75         | 17.75        | 17.75        | 17.25                |
| Dealers' No. 2 bundles.....                               | 18.00            | 18.00            | 18.00              | 18.00            | 18.00       | 18.00        | 16.75         | 16.75        | 16.75        | 16.25                |
| Mixed borings and turnings.....                           | 15.25            | 15.25            | 15.25              | 15.25            | 15.25       | 15.25        | 14.00         | 14.00        | 14.00        | 13.50                |
| Machine shop turnings.....                                | 15.50            | 15.50            | 15.50              | 15.50            | 15.50       | 15.50        | 14.25         | 14.25        | 14.25        | 13.75                |
| Shovelling turnings.....                                  | 16.50            | 16.50            | 16.50              | 16.50            | 16.50       | 16.50        | 15.25         | 15.25        | 15.25        | 14.75                |
| No. 1 busheling.....                                      | 19.50            | 19.50            | 19.50              | 19.50            | 19.50       | 19.50        | 18.25         | 18.25        | 18.25        | 17.75                |
| No. 2 busheling.....                                      | 15.50            | 15.50            | 15.50              | 15.50            | 15.50       | 15.50        | 14.25         | 14.25        | 14.25        | 13.75                |
| Cast iron borings.....                                    | 15.75            | 15.75            | 15.75              | 15.75            | 15.75       | 15.75        | 14.50         | 14.50        | 14.50        | 14.00                |
| Uncut structural and plate scrap.....                     | 19.00            | 19.00            | 19.00              | 19.00            | 19.00       | 19.00        | 17.75         | 17.75        | 17.75        | 17.25                |
| No. 1 cupola.....   | 21.00            | 21.00            | 21.00              | 21.00            | 21.00       | 21.00        | 20.00         | 20.00        | 20.00        | 22.50                |
| Heavy breakable cast.....                                 | 19.50            | 19.50            | 19.50              | 19.50            | 19.50       | 19.50        | 18.50         | 18.50        | 18.50        | 21.00                |
| Stove plate.....  | 19.00            | 19.00            | 19.00              | 19.00            | 19.00       | 19.00        | 16.00         | 16.00        | 16.00        | 18.00                |
| Low phos billet and bloom crops.....                      | 25.00            | 25.00            | 25.00              | 25.00            | 25.00       | 25.00        | 23.75         | 23.75        | 23.75        | 23.25                |
| Low phos bar crops and smaller.....                       | 23.00            | 23.00            | 23.00              | 23.00            | 23.00       | 23.00        | 21.75         | 21.75        | 21.75        | 21.25                |
| Low phos punchings and plate scrap.....                   | 23.00            | 23.00            | 23.00              | 23.00            | 23.00       | 23.00        | 21.75         | 21.75        | 21.75        | 21.25                |
| No. 2 cupola cast.....                                    | 20.00            | 20.00            | 20.00              | 20.00            | 20.00       | 20.00        | 19.00         | 19.00        | 19.00        | 21.30                |
| Machinery cast, cupola size**.....                        | 22.00            | 22.00            | 22.00              | 22.00            | 22.00       | 22.00        | 21.00         | 21.00        | 21.00        | 23.50                |
| No. 1 machinery cast, drop-broken, 150 lb. and under..... | 22.50            | 22.50            | 22.50              | 22.50            | 22.50       | 22.50        | 21.50         | 21.50        | 21.50        | 24.00                |
| Clean auto cast.....                                      | 22.50            | 22.50            | 22.50              | 22.50            | 22.50       | 22.50        | 21.50         | 21.50        | 21.50        | 24.00                |
| Punchings and plate scrap***.....                         | 22.00            | 22.00            | 22.00              | 22.00            | 22.00       | 22.00        | 20.75         | 20.75        | 20.75        | 20.25                |
| Punchings and plate scrap****.....                        | 21.00            | 21.00            | 21.00              | 21.00            | 21.00       | 21.00        | 19.75         | 19.75        | 19.75        | 19.25                |
| Heavy axle and forge turnings.....                        | 19.50            | 19.50            | 19.50              | 19.50            | 19.50       | 19.50        | 18.25         | 18.25        | 18.25        | 17.75                |
| Medium heavy electric furnace turnings.....               | 18.00            | 18.00            | 18.00              | 18.00            | 18.00       | 18.00        | 16.75         | 16.75        | 16.75        | 16.25                |

  

| Grades   | Consuming points |                  |                   |                 |                     |                 |                |                  |               |              |
|--|------------------|------------------|-------------------|-----------------|---------------------|-----------------|----------------|------------------|---------------|--------------|
|  | Claymont, Del.   | Coatesville, Pa. | Phoenixville, Pa. | Harrisburg, Pa. | Sparrows Point, Md. | Cleveland, Ohio | Buffalo, N. Y. | Portsmouth, Ohio | Midland, Ohio | Ashland, Ky. |
| No. 1 Heavy Melting Steel.....                           | \$18.75          | \$18.75          | \$18.75           | \$18.75         | \$18.25             | \$19.50         | \$19.25        | \$18.50          | \$18.50       | \$18.50      |
| No. 1 Hydraulic Compressed Black Sheet Scrap.....        | 18.75            | 18.75            | 18.75             | 18.75           | 18.25               | 19.50           | 19.25          | 18.50            | 18.50         | 18.50        |
| No. 2 Heavy Melting Steel.....                           | 17.75            | 17.75            | 17.75             | 17.75           | 17.25               | 18.50           | 18.25          | 17.50            | 17.50         | 17.50        |
| Dealers' No. 1 Bundles.....                              | 17.75            | 17.75            | 17.75             | 17.75           | 17.25               | 18.50           | 18.25          | 17.50            | 17.50         | 17.50        |
| Dealers' No. 2 Bundles.....                              | 16.75            | 16.75            | 16.75             | 16.75           | 16.25               | 17.50           | 17.25          | 16.50            | 16.50         | 16.50        |
| Mixed Borings and Turnings.....                          | 14.00            | 14.00            | 14.00             | 14.00           | 13.50               | 14.75           | 14.50          | 13.75            | 13.75         | 13.75        |
| Machine Shop Turnings.....                               | 14.25            | 14.25            | 14.25             | 14.25           | 13.75               | 15.00           | 14.75          | 14.00            | 14.00         | 14.00        |
| Shovelling Turnings.....                                 | 15.25            | 15.25            | 15.25             | 15.25           | 14.75               | 16.00           | 15.75          | 15.00            | 15.00         | 15.00        |
| No. 1 Busheling.....                                     | 18.25            | 18.25            | 18.25             | 18.25           | 17.75               | 19.00           | 18.75          | 18.00            | 18.00         | 18.00        |
| No. 2 Busheling.....                                     | 14.25            | 14.25            | 14.25             | 14.25           | 13.75               | 15.00           | 14.75          | 14.00            | 14.00         | 14.00        |
| Cast Iron Borings.....                                   | 14.50            | 14.50            | 14.50             | 14.50           | 14.00               | 15.25           | 15.00          | 14.25            | 14.25         | 14.25        |
| Uncut Structural & Plate Scrap.....                      | 17.75            | 17.75            | 17.75             | 17.75           | 17.25               | 18.50           | 18.25          | 17.50            | 17.50         | 17.50        |
| No. 1 Cupola.....  | 23.00            | 23.00            | 23.00             | 23.00           | 22.50               | 22.00           | 20.00          | 21.00            | 21.00         | 21.00        |
| Heavy Breakable Cast.....                                | 21.50            | 21.50            | 21.50             | 21.50           | 21.00               | 20.50           | 18.50          | 19.50            | 19.50         | 19.50        |
| Stove Plate.....   | 18.50            | 18.50            | 18.50             | 18.50           | 18.00               | 15.75           | 19.00          | 13.00            | 13.00         | 13.00        |
| Low Phos Billet & Bloom Crops.....                       | 23.75            | 23.75            | 23.75             | 23.75           | 23.25               | 24.50           | 24.25          | 23.50            | 23.50         | 23.50        |
| Low Phos Bar Crops & Smaller.....                        | 21.75            | 21.75            | 21.75             | 21.75           | 21.25               | 22.50           | 22.25          | 21.50            | 21.50         | 21.50        |
| Low Phos Punchings & Plate Scraps.....                   | 21.75            | 21.75            | 21.75             | 21.75           | 21.25               | 22.50           | 22.25          | 21.50            | 21.50         | 21.50        |
| No. 2 Cupola Cast.....                                   | 22.00            | 22.00            | 22.00             | 22.00           | 22.00               | 21.00           | 19.00          | 20.00            | 20.00         | 20.00        |
| Machinery Cast, Cupola Sizes**.....                      | 24.00            | 24.00            | 24.00             | 24.00           | 23.50               | 23.00           | 21.00          | 22.00            | 22.00         | 22.00        |
| No. 1 Machinery Cast, drop-broken, 150 lbs. & Under..... | 24.50            | 24.50            | 24.50             | 24.50           | 24.00               | 23.50           | 21.50          | 22.50            | 22.50         | 22.50        |
| Clean Auto Cast.....                                     | 24.50            | 24.50            | 24.50             | 24.50           | 24.00               | 23.50           | 21.50          | 22.50            | 22.50         | 22.50        |
| Punchings & Plate Scrap***.....                          | 20.75            | 20.75            | 20.75             | 20.75           | 20.25               | 21.50           | 21.25          | 20.50            | 20.50         | 20.50        |
| Punchings & Plate Scrap****.....                         | 19.75            | 19.75            | 19.75             | 19.75           | 19.25               | 20.50           | 20.25          | 19.50            | 19.50         | 19.50        |
| Heavy Axle & Forge Turnings.....                         | 18.25            | 18.25            | 18.25             | 18.25           | 17.75               | 19.00           | 18.75          | 18.00            | 18.00         | 18.00        |
| Medium Heavy Electric Furnace Turnings.....              | 16.75            | 16.75            | 16.75             | 16.75           | 16.25               | 17.50           | 17.25          | 16.50            | 16.50         | 16.50        |

\* See footnotes at end of table.

## APPENDIX A—Continued

## MAXIMUM PRICES FOR IRON AND STEEL SCRAP OTHER THAN RAILROAD SCRAP—continued

| Grades   | Consuming points |                   |                 |                |                                 |                     |               |                    |                    |                       |
|--|------------------|-------------------|-----------------|----------------|---------------------------------|---------------------|---------------|--------------------|--------------------|-----------------------|
|  | St. Louis, Mo.   | Kan-sas City, Mo. | De-troit, Mich. | Du-luth, Minn. | Bir-ming-ham, Ala. <sup>4</sup> | Chat-tanooga, Tenn. | Rad-ford, Va. | Wor-ces-ter, Mass. | Bridge-port, Conn. | Phil-lips-dale, R. I. |
| No. 1 heavy melting steel.....                             | \$17.50          | \$16.00           | \$17.85         | \$18.00        | \$17.00                         | -----               | -----         | \$15.50            | \$15.50            | \$15.50               |
| No. 1 hydraulic compressed black sheet scrap.....          | 17.50            | 16.00             | 17.85           | 18.00          | 17.00                           | -----               | -----         | 15.50              | 15.50              | 15.50                 |
| No. 2 heavy melting steel.....                             | 16.50            | 15.00             | 16.85           | 17.00          | 16.00                           | -----               | -----         | 14.50              | 14.50              | 14.50                 |
| Dealers' No. 1 bundles.....                                | 16.50            | 15.00             | 16.85           | 17.00          | 16.00                           | -----               | -----         | 14.50              | 14.50              | 14.50                 |
| Dealers' No. 2 bundles.....                                | 15.50            | 14.00             | 15.85           | 16.00          | 15.00                           | -----               | -----         | 13.50              | 13.50              | 13.50                 |
| Mixed borings and turnings.....                            | 12.75            | 11.25             | 13.10           | 13.25          | 12.25                           | -----               | -----         | 10.75              | 10.75              | 10.75                 |
| Machine shop turnings.....                                 | 13.00            | 11.50             | 13.35           | 13.30          | 12.50                           | -----               | -----         | 11.00              | 11.00              | 11.00                 |
| Shovelling turnings.....                                   | 14.00            | 12.50             | 14.35           | 14.50          | 13.50                           | -----               | -----         | 12.00              | 12.00              | 12.00                 |
| No. 1 busheling.....                                       | 17.00            | 15.50             | 17.33           | 17.50          | 16.50                           | -----               | -----         | 15.00              | 15.00              | 15.00                 |
| No. 2 busheling.....                                       | 13.00            | 11.50             | 13.35           | 13.50          | 12.50                           | -----               | -----         | 11.00              | 11.00              | 11.00                 |
| Cast iron borings.....                                     | 13.25            | 11.75             | 13.50           | 13.75          | 12.75                           | -----               | -----         | 11.25              | 11.25              | 11.25                 |
| Uncut structural and plate scrap.....                      | 16.50            | 15.00             | 16.85           | 17.00          | 16.00                           | -----               | -----         | 14.50              | 14.50              | 14.50                 |
| No. 1 cupola.....  | 20.00            | 15.00             | 19.00           | 21.00          | 17.75                           | 20.00               | 21.00         | 22.00              | 22.00              | 22.00                 |
| Heavy breakable cast.....                                  | 18.50            | 13.50             | 17.50           | 19.50          | 16.25                           | -----               | -----         | 20.50              | 20.50              | 20.50                 |
| Stove plate.....   | 14.50            | 12.50             | 1.75            | -----          | 12.00                           | -----               | -----         | 14.00              | 14.00              | 14.00                 |
| Low phos billet and bloom crops.....                       | 22.50            | 21.00             | 22.85           | 23.00          | 22.00                           | -----               | -----         | 20.50              | 20.50              | 20.50                 |
| Low phos bar crops and smaller.....                        | 20.50            | 19.00             | 20.85           | 21.00          | 20.00                           | -----               | -----         | 18.50              | 18.50              | 18.50                 |
| Low phos punchings plate scrap.....                        | 20.50            | 19.00             | 20.85           | 21.00          | 20.00                           | -----               | -----         | 18.50              | 18.50              | 18.50                 |
| No. 2 cupola cast.....                                     | 19.00            | 14.00             | 18.00           | 20.00          | 16.75                           | 19.00               | 20.00         | 21.00              | 21.00              | 21.00                 |
| Machinery cast, cupola size**.....                         | 21.00            | 16.00             | 20.00           | 22.00          | 16.75                           | 21.00               | 22.00         | 23.00              | 23.00              | 23.00                 |
| No. 1 machinery cast, drop-broken, 150 lbs. and under..... | 21.50            | 16.50             | 20.50           | 22.50          | 19.25                           | 21.50               | 22.50         | 23.50              | 23.50              | 23.50                 |
| Clean auto cast.....                                       | 21.50            | 16.50             | 20.50           | 22.50          | 19.25                           | 21.50               | 22.50         | 23.50              | 23.50              | 23.50                 |
| Punchings and plate scrap***.....                          | 19.50            | 18.00             | 19.85           | 20.00          | 19.00                           | -----               | -----         | 17.50              | 17.50              | 17.50                 |
| Punchings and plate scrap****.....                         | 18.50            | 17.00             | 18.85           | 19.00          | 18.00                           | -----               | -----         | 16.50              | 16.50              | 16.50                 |
| Heavy axle and forge turnings.....                         | 17.00            | 15.50             | 17.35           | 17.50          | 16.50                           | -----               | -----         | 15.00              | 15.00              | 15.00                 |
| Medium heavy electric furnace turnings.....                | 15.50            | 14.00             | 15.85           | 16.00          | 15.00                           | -----               | -----         | 13.50              | 13.50              | 13.50                 |

| Grades  | Consuming points    |                       |                |                | Grades   | Consuming points    |                       |                |                |
|---|---------------------|-----------------------|----------------|----------------|--|---------------------|-----------------------|----------------|----------------|
|   | Los Angeles, Calif. | San Francisco, Calif. | Portland, Ore. | Seattle, Wash. |  | Los Angeles, Calif. | San Francisco, Calif. | Portland, Ore. | Seattle, Wash. |
| No. 1 Heavy Melting Steel.....                    | \$14.50             | \$14.50               | \$14.50        | \$14.50        | Low Phos Billet & Bloom Crops.....                       | -----               | -----                 | -----          | -----          |
| No. 1 Hydraulic Compressed Black Sheet Scrap..... | 14.50               | 14.50                 | 14.50          | 14.50          | Low Phos Punchings & Plate Scrap.....                    | -----               | -----                 | -----          | -----          |
| No. 2 Heavy Melting Steel.....                    | 13.50               | 13.50                 | 13.50          | 13.50          | Low Phos Bar Crops & Smaller.....                        | -----               | -----                 | -----          | -----          |
| Dealers' No. 1 Bundles.....                       | 13.50               | 13.50                 | 13.50          | 13.50          | No. 2 Cupola Cast.....                                   | \$17.00             | \$17.00               | \$17.00        | \$17.00        |
| Dealers' No. 2 Bundles.....                       | 12.50               | 12.50                 | 12.50          | 12.50          | Machinery Cast, Cupola Size **.....                      | 19.00               | 19.00                 | 19.00          | 19.00          |
| Mixed Borings and Turnings.....                   | 9.75                | 9.75                  | 9.75           | 9.75           | No. 1 Machinery Cast, drop-broken, 150 lbs. & Under..... | 19.50               | 19.50                 | 19.50          | 19.50          |
| Machine Shop Turnings.....                        | 10.00               | 10.00                 | 10.00          | 10.00          | Clean Auto Cast.....                                     | 19.50               | 19.50                 | 19.50          | 19.50          |
| Shovelling Turnings.....                          | 11.00               | 11.00                 | 11.00          | 11.00          | Punchings & Plate Scrap ***.....                         | -----               | -----                 | -----          | -----          |
| No. 1 Busheling.....                              | 14.00               | 14.00                 | 14.00          | 14.00          | Punchings & Plate Scrap ****.....                        | -----               | -----                 | -----          | -----          |
| No. 2 Busheling.....                              | 10.00               | 10.00                 | 10.00          | 10.00          | Heavy Axle & Forge Turnings.....                         | 14.00               | 14.00                 | 14.00          | 14.00          |
| Cast Iron Borings.....                            | 10.25               | 10.25                 | 10.25          | 10.25          | Medium Heavy Electric Furnace Turnings.....              | 12.50               | 12.50                 | 12.50          | 12.50          |
| Uncut Structural & Plate Scrap.....               | 13.50               | 13.50                 | 13.50          | 13.50          |  |                     |                       |                |                |
| No. 1 Cupola.....                                 | 18.00               | 18.00                 | 18.00          | 18.00          |  |                     |                       |                |                |
| Heavy Breakable Cast.....                         | 17.00               | 17.00                 | 17.00          | 17.00          |  |                     |                       |                |                |
| Stove Plate.....                                  | 14.00               | 14.00                 | 14.00          | 14.00          |  |                     |                       |                |                |

\*This grade is  $\frac{3}{8}$ -inch and heavier, cut 12 inches and under.

\*\*This grade also may include clean agricultural cast.

\*\*\*This grade is under  $\frac{3}{8}$ -inch to  $\frac{1}{4}$ -inch, cut 12 inches and under.

\*\*\*\*This grade is under  $\frac{1}{4}$ -inch to No. 12 gage, cut 12 inches and under.

<sup>a</sup> A consuming point includes the switching district of the cities named herein.

<sup>b</sup> The grades specified are, except Dealers' No. 1 and No. 2 bundles and uncut structural and plate scrap, as named and defined in the simplified practice recommendations R-530-36 of the Department of Commerce which shall be the governing specifications for iron and steel scrap hereunder.

<sup>c</sup> These grades represent the major classifications of iron and steel scrap. The maximum prices of superior or inferior grades shall continue to bear the same comparable relationship to these major grade classifications as heretofore existed between the prices of such superior or inferior grades and the prices of the major grades.

<sup>d</sup> The prices set forth are for scrap delivered to the Birmingham, Ala. consuming point, excepting scrap for Birmingham consumption originating west of the western boundary of Alabama. In the latter case the Birmingham, Ala., consumer may pay \$1.00 more than the prices indicated under "Birmingham."

## II. Delivered to a Consumer Not Located in a Consuming Point Listed Above

This maximum price is to be computed in the manner prescribed below:

A. The maximum price of scrap at the point from which such scrap is to be shipped is the maximum price specified in Paragraph I hereof for such scrap delivered to any consumer in the con-

suming point nearest, in terms of transportation costs, to the point from which the scrap is to be shipped less the lowest cost of transporting the scrap from the point of shipment to the consumer located at the consuming point nearest the scrap.

B. At the consumer's plant to which the scrap is to be delivered. A consumer, if he can establish that he has been served by the same source of scrap in the past, may pay, to the extent necessary to absorb the transportation costs from the shipping point to his plant, a price delivered to his plant which exceeds by not more than one dollar per gross ton the maximum price set forth in Paragraph I hereof for the scrap delivered to the consuming point nearest, in terms of transportation costs, to the consumer's plant. In no case shall the consumer pay a sum in excess of the price established under Sub-paragraph A hereof plus the lowest cost of transporting scrap to his plant from the point of shipment.

## III. Billet and Bloom Crops Originating in Pittsburgh, Pa.

Where the grade of scrap classified as billet and bloom crops originates in the Pittsburgh consuming point, it may be sold delivered to a consumer, located within or without the Pittsburgh consuming point, at the price established in Paragraph I hereof for Pittsburgh, Pa. plus not more than \$2.50 in transportation costs from the point of origin to the consumer's plant. In no case shall the consumer pay a sum in excess of the price established under Paragraph I hereof for the Pittsburgh consuming point consumer plus the lowest cost of transporting the scrap from the point of origin to the consumer's plant.

## IV. General Provisions

A. Unprepared scrap. All unprepared yard scrap shall be sold at prices not exceeding \$2.50 less than the maximum prices established above.

B. Shipment by means other than all-rail. The maximum prices established herein have been based upon all-rail deliveries to the above-named consuming points, excepting Detroit. Where shipments to the consumer is by means other than all-rail, the maximum prices established herein, excepting those established for the Detroit consuming point, shall be reduced by the amount that the all-rail transportation costs to such consuming point exceed the costs of the mode of transportation used.

## APPENDIX B

## MAXIMUM PRICES FOR IRON AND STEEL SCRAP ORIGINATING FROM RAILROADS

[All the maximum prices given below are per gross ton]

## I. Scrap Originating From Railroads Operating in a Consuming Point \* Named Below

A. Delivered to a consumer's plant located on the line of the railroad from which the scrap originated—1. Listed grades.

| Consuming points              | Grades                                   |             |                         |                              |                              |                                 |
|-------------------------------|--|-------------|-------------------------|------------------------------|------------------------------|---------------------------------|
|                               | No. 1 railroad grade heavy melting steel | Scrap rails | Rerolling quality rails | Scrap rails 3 feet and under | Scrap rails 2 feet and under | Scrap rails 18 inches and under |
| Pittsburgh, Pa.               | \$21.00                                  | \$22.00     | \$23.50                 | \$24.00                      | \$24.25                      | \$24.50                         |
| Wheeling, W. Va.              | 21.00                                    | 22.00       | 23.50                   | 24.00                        | 24.25                        | 24.75                           |
| Steubenville, Ohio            | 21.00                                    | 22.00       | 23.50                   | 24.00                        | 24.25                        | 24.75                           |
| Youngstown, Ohio              | 21.00                                    | 22.00       | 23.50                   | 24.00                        | 24.25                        | 24.75                           |
| Sharon, Pa.                   | 21.00                                    | 22.00       | 23.50                   | 24.00                        | 24.25                        | 24.75                           |
| Canton, Ohio                  | 21.00                                    | 22.00       | 23.50                   | 24.00                        | 24.25                        | 24.75                           |
| Chicago, Ill.                 | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Kokomo, Ind.                  | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Peoria, Ill.                  | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Philadelphia, Pa.             | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Wilmington, Del.              | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Sparrows Point, Md.           | 19.75                                    | 20.75       | 22.25                   | 22.75                        | 23.00                        | 23.50                           |
| Cleveland, Ohio               | 20.50                                    | 21.50       | 23.00                   | 23.50                        | 23.75                        | 24.25                           |
| Buffalo, N. Y.                | 20.25                                    | 21.25       | 22.75                   | 23.25                        | 23.50                        | 24.00                           |
| Portsmouth, Ohio              | 19.50                                    | 20.50       | 22.00                   | 22.50                        | 22.75                        | 23.25                           |
| Middletown, Ohio              | 19.50                                    | 20.50       | 22.00                   | 22.50                        | 22.75                        | 23.25                           |
| Ashland, Ky.                  | 19.50                                    | 20.50       | 22.00                   | 22.50                        | 22.75                        | 23.25                           |
| St. Louis, Mo.                | 18.50                                    | 19.50       | 21.00                   | 21.50                        | 21.75                        | 22.25                           |
| Kansas City, Mo.              | 17.00                                    | 18.00       | 19.50                   | 20.00                        | 20.25                        | 20.50                           |
| Detroit, Mich.                | 18.85                                    | 19.85       | 21.35                   | 21.85                        | 22.10                        | 22.60                           |
| Duluth, Minn.                 | 19.00                                    | 20.00       | 21.50                   | 22.00                        | 22.25                        | 22.75                           |
| Birmingham, Ala. <sup>b</sup> | 18.00                                    | 19.00       | 20.50                   | 21.00                        | 21.25                        | 21.75                           |
| Worcester, Mass.              | 16.50                                    | 17.50       | 19.00                   | 19.50                        | 19.75                        | 20.25                           |
| Medford, Mass.                |  |             | 21.00                   |                              |                              |                                 |
| Bridgeport, Conn.             | 16.50                                    | 17.50       | 19.00                   | 19.50                        | 19.75                        | 20.25                           |
| Phillipsdale, R. I.           | 16.50                                    | 17.50       | 19.00                   | 19.50                        | 19.75                        | 20.25                           |
| Los Angeles, Calif.           | 15.50                                    | 16.50       | 18.00                   | 18.50                        | 18.75                        | 19.25                           |
| San Francisco, Calif.         | 15.50                                    | 16.50       | 18.00                   | 18.50                        | 18.75                        | 19.25                           |
| Portland, Oreg.               | 15.50                                    | 16.50       | 18.00                   | 18.50                        | 18.75                        | 19.25                           |
| Seattle, Wash.                | 15.50                                    | 16.50       | 18.00                   | 18.50                        | 18.75                        | 19.25                           |

\* Where the railroad maker of scrap operates in two or more of the consuming points named above, the highest of the maximum prices set out above for such consuming points shall be the maximum price at which any grade of scrap listed above may be sold delivered to a consumer's plant at any point on the railroad's line, except: Where a railroad from which scrap originates operates in two or more consuming points having different switching charges, the price of such railroad scrap:

(1) To a consumer located within a consuming point having the highest switching charge, shall not exceed the maximum on-the-line price established above;

(2) To a consumer located within a consuming point not having the highest switching charge, shall not exceed the maximum on-the-line price established above less the difference between the switching charges at that consuming point and at the consuming point having the highest switching charges;

(3) To a consumer located on the line of the railroad at a point having no switching charges, shall not exceed the maximum on-the-line price established above less the highest switching charge at any consuming point on the line; and

(4) To a consumer located off the line of the railroad, shall not exceed the maximum off-the-line price established below less the highest switching charge at any consuming point on the line.

<sup>b</sup> The prices set forth are for scrap delivered to the Birmingham, Ala., consuming point, excepting scrap for Birmingham consumption originating west of the western boundary of Alabama. In the latter case the Birmingham, Ala., consumer may pay \$1.00 more than the prices indicated under "Birmingham."

2. Grades not listed. (a) The price at which a consumer located on the line of the railroad from which the scrap originated may purchase any grade of scrap not listed above shall not exceed the average price per gross ton at which such railroad sold such grade delivered to the plant of a consumer, whether located on or off the line of the railroad, during the period commencing September 1, 1940, and ending January 31, 1941, or, in case no sale was made during the period, the price at which the grade was last sold by the railroad prior thereto, and, in either event, adjusted to allow for the average grade differentials of the railroad in a manner indicated in Subparagraph (b) below.

(b) For purposes of Subparagraph (a) above, the maximum price for any grade not listed in Paragraph A, 1., above shall be adjusted to allow for the average grade differentials of the railroad by:

First, computing the amount of the base grade differential for the railroad which shall be the difference between the average price per gross ton at which the railroad from which the scrap originated sold No. 1 Railroad Grade Heavy Melting Steel scrap delivered to the plant of the consumer, whether located on or off the line of the railroad, during the period commencing September 1, 1940, and ending January 31, 1941, and the railroad's maximum price established for such grade under Paragraph A, 1., above; and

Second, by applying this base grade differential to the price to be adjusted by either (i) subtracting the amount of such differential from such prices in case the railroad's average price of No. 1 Railroad Grade Heavy Melting Steel scrap exceeds the railroad's maximum price established for such grade under Paragraph A, 1., above or (ii) adding the

same in case the railroad's average price is less than such maximum.

B. Delivered to a consumer's plant located off the line of the railroad from which the scrap originated. The maximum price is either of the following, whichever is greater:

(1) The maximum price established in Paragraph A above for scrap delivered to a consumer on the line of the railroad from which the scrap originated, or, if the consumer can establish that he has been served by the same source of scrap in the past, this maximum price plus transportation charges, from the railroad's line to consumer's plant, of not more than two dollars per gross ton for rerolling rails and one dollar per gross ton for all other grades of scrap; or

(2) The prices set forth in Paragraph A, 1., above for the consuming point nearest the consumer's plant.

## II. Scrap Originating From Railroads Not Operating in Any of the Consuming Points Named Above

The maximum price of any grade of such scrap delivered to a consumer shall not exceed the average price per gross ton at which the railroad from which the scrap originated sold such grade delivered to a consumer's plant during the period commencing September 1, 1940, and ending January 31, 1941, or in the case of no sale being made during the period, the price at which the grade was last sold by the railroad prior thereto.

## III. Scrap Which Cannot Be Identified as to Origin

The maximum price per gross ton at which a consumer may purchase delivered at his plant, any grade of railroad scrap which cannot be identified as to origin, shall not exceed the maximum price established under Appendix A of this Schedule for the grade in which such scrap may be classified.

## IV. General Provisions

A. Unprepared scrap. (1) Identifiable as to Grade. Unprepared scrap which may be identified as to grade may not be sold at prices exceeding \$2.50 less than the maximum prices established herein.

(2) Unidentifiable as to Grade. Unprepared scrap which cannot be identified as to grade (for example, a box car, a locomotive, or the like) is not subject to the maximum prices established herein until such scrap has been prepared for consumption.

B. Scrap prepared by a person other than a railroad. Where scrap originates from a railroad but is broken down and prepared by a person other than a railroad and the railroad origin of such scrap is known, the maximum price at which a consumer may purchase such scrap shall be the price established above for purchases of scrap prepared by the railroad.

C. *Shipment by means other than all-rail.* The maximum prices established herein have been based upon all-rail deliveries to the above-named consuming points, excepting Detroit. Where shipment to the consumer is by means other than all-rail, the maximum prices established herein, excepting those established for the Detroit consuming point, shall be reduced by the amount that the all-rail transportation costs to such consuming point exceed the costs of the mode of transportation used.

#### APPENDIX C

##### MAXIMUM PRICES FOR IRON AND STEEL SCRAP FOR EXPORT FROM THE UNITED STATES

[Per gross ton, F. A. S. point of export]

The maximum export prices applicable to iron and steel scrap, including scrap of railroad origin, f. a. s. at all ports located on the Atlantic Coast shall be the maximum prices for the grades of scrap as shown (1) under Appendix A and (2) under Appendix B for the domestic consuming point nearest the place of export, less the transportation charges to the f. a. s. point of export, plus a uniform charge of \$1.00 per gross ton.

At all United States ports located on the Gulf of Mexico, the maximum price for No. 1 Heavy Melting Steel shall be \$15.00 per gross ton f. a. s., point of export plus \$1.00 per gross ton. For all other quality classifications the differentials for grade as outlined in Appendix A and as set forth and determined under Appendix B shall be applied to \$15.00 as a base and \$1.00 added to obtain the maximum prices.

[F. R. Doc. 41-3306; Filed, May 6, 1941; 12:04 p. m.]

#### Notices

##### WAR DEPARTMENT.

[Contract No. W 669 qm-11409; O. I. No. 6591]

##### SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: AMERICAN WOOLEN COMPANY

Contract for: Textiles.

Amount: \$3,239,091.00.

Place: Philadelphia Quartermaster Depot, Philadelphia, Pa.

This contract, entered into this nineteenth day of March 1941.

*Scope of this contract.* The contractor shall furnish and deliver at the Philadelphia Quartermaster Depot, 21st and Johnston Streets, Philadelphia, Pa. \* \* \* yards Cloth, Overcoating, 32-ounce, Olive Drab: \* \* \* yards Suiting, Wool, Olive Drab, for the consideration stated totaling three million, two hundred thirty-nine thousand, ninety-one dollars (\$3,239,091.00) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

*Payments.* The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

*Delays—Damages.* If the contractor refuses or fails to make delivery of acceptable material or supplies within the time or times specified in Article 1, or any extension or extensions thereof, the actual damage to the Government for the delay will be impossible to determine, and in lieu thereof the contractor shall pay to the Government as fixed, agreed, and liquidated damages for each calendar day of delay in the delivery of any articles, the amount as set forth in the specifications or accompanying papers, and the contractor and his sureties shall be liable for the amount thereof.

*Liquidated damages.* Under the terms and conditions stipulated in Article 17 of this contract, the contractor shall pay to the Government, as liquidated damages, for each calendar day of delay in the delivery of any article, a sum equal to \* \* \* per centum of the price of such article for each day's delay after the time specified for delivery.

Bond: Furnished. Amount: \$647,818.20.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to procurement authority QM 323 P2-0240 A 0515-01 the available balance of which is sufficient to cover cost of same.

This contract authorized under Procurement Directives Nos. P-C-231 and P-C-236.

FRANK W. BULLOCK,  
Major, Signal Corps,  
Assistant to the Director of  
Purchases and Contracts.

[F. R. Doc. 41-3312; Filed, May 7, 1941; 9:44 a. m.]

##### NAVY DEPARTMENT.

[NOY-4743]

##### SUMMARY OF CONTRACT FOR POWER PLANT IMPROVEMENT

CONTRACTORS: THE J. G. WHITE ENGINEERING CORPORATION, 80 BROAD ST., NEW YORK, NEW YORK

APRIL 21, 1941.

On April 18, 1941, the Navy Department entered into a contract (NOY-4743)

with The J. G. White Engineering Corporation of New York, New York, for the improvement of power plant at the Navy Yard, New York, New York, at an estimated cost of \$3,860,000, including a fixed fee of \$157,000 payable to the Contractors.

The contract, among other things, further provides that the Navy Department may at any time make changes in approved drawings and/or specifications and, if such changes or additions to or omissions from the original project cause a material increase or decrease in the amount or character of the work to be done under the contract, or in the time required for its performance, an equitable adjustment in the amount of the fixed fee to be paid to the Contractors shall be made and the contract shall be modified accordingly. The contract also contains provisions for the termination of the contract by the Government and for an equitable settlement with the Contractors under the contract in the case of such termination.

B. MOREELL,  
Chief of Bureau.

[F. R. Doc. 41-3309; Filed, May 7, 1941; 9:43 a. m.]

[NOY-4761]

##### SUMMARY OF CONTRACT FOR CONSTRUCTION

CONTRACTOR: ABERTHAW COMPANY, 80 FEDERAL STREET, BOSTON, MASSACHUSETTS

APRIL 26, 1941.

On April 26, 1941, the Navy Department entered into a contract (NOY-4761) with the Abertshaw Company of Boston, Massachusetts, for the construction of a shipbuilding dry dock at the Navy Yard, Portsmouth, New Hampshire, at an estimated cost of \$2,500,000 including a fixed fee of \$110,000 payable to the Contractors.

The contract, among other things, further provides that the Navy Department may at any time make changes in approved drawings and/or specifications and, if such changes or additions to or omissions from the original project cause a material increase or decrease in the amount or character of the work to be done under the contract, or in the time required for its performance, an equitable adjustment in the amount of the fixed fee to be paid to the Contractors shall be made and the contract shall be modified accordingly. The contract also contains provisions for the termination of the contract by the Government and for an equitable settlement with the Contractors under the contract in the case of such termination.

B. MOREELL,  
Chief of Bureau.

[F. R. Doc. 41-3308; Filed, May 7, 1941; 9:43 a. m.]

[NOD-1643]

## SUMMARY OF CONTRACT FOR PROPELLING MACHINERY

CONTRACTOR: HOOVEN, OWENS, RENTSCHLER COMPANY, HAMILTON, OHIO

MAY 2, 1941.

Under date of February 17, 1941, the Navy Department entered into a contract with the Hooven, Owens, Rentschler Company for the construction, at its plant in Hamilton, Ohio, of propelling machinery for thirteen (13) submarine chasers of the PC489-496 and the PC542-577 class, at a total contract price of \$6,493,500, or a contract price of \$499,500 for each set of machinery.

The above contract provides for the suspension, termination, or cancellation of the contract, with an equitable basis of settlement, to safeguard the Government's interest should the public exigency require such action. In the event of termination due to fault of the contractor, the Government may complete the construction of the vessels for the account of the contractor.

The contract price is subject to adjustment (1) for the net increase for changes, separately, in wages and material costs, (2) for increases in cost due to either approved overtime or shift work or both, as the case may be, (3) for increases in cost due to requirement of delivery earlier than the dates specified in the contract, (4) for each brake horsepower developed by the main engines in excess of a specified minimum value and up to a specified maximum value, and (5) for increases in costs due to changes in plans and specifications which may be ordered by the Navy Department during the course of construction.

S. M. ROBINSON,  
Chief of Bureau.

[F. R. Doc. 41-3307; Filed, May 7, 1941;  
9:43 a. m.]

## DEPARTMENT OF THE INTERIOR.

## Bituminous Coal Division.

[Docket No. A-698]

PETITION OF GEORGE VANDE VEN, A CODE MEMBER IN DISTRICT NO. 22, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICE FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 256 IN THAT DISTRICT

## NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules

No. 90—2

of the Division be held on June 2, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW, Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 28, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of George Vandevan, a code member in District No. 22, for a reduction from \$4 to \$3.50 per ton f. o. b. the mine in the effective minimum price for the 1/2" lump coals (Size Group 2) produced at Mine Index No. 256 in that district for shipment by truck.

Dated: May 6, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3318; Filed, May 7, 1941;  
11:31 a. m.]

[Docket Nos. 1541-FD, 1557-FD]

IN THE MATTER OF THE WYATT COAL SALES COMPANY, REGISTERED DISTRIBUTOR, REGISTRATION NO. 9906, DEFENDANT, AND IN THE MATTER OF BECKLEY FIRE CREEK COAL COMPANY, CODE MEMBER, DEFENDANT

## NOTICE OF AND ORDER FOR POSTPONEMENT OF HEARINGS

Hearings in the above-entitled matters having been scheduled for May 6, 1941, at ten o'clock in the forenoon of that day, in the Daniel Boone Hotel, Charleston, West Virginia,

It is ordered, That these hearings be postponed to June 5, 1941, at ten o'clock in the forenoon of that day, in the Daniel Boone Hotel, Charleston, West Virginia.

Dated: May 6, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3317; Filed, May 7, 1941;  
11:31 a. m.]

[Docket No. 1627-FD]

IN THE MATTER OF THE ELMER MILLER COAL COMPANY, REGISTERED DISTRIBUTOR, REGISTRATION NO. 6455, DEFENDANT

## NOTICE OF AND ORDER FOR HEARING

1. The Bituminous Coal Division finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act"), to determine—

(a) Whether or not The Elmer Miller Coal Company, Registered Distributor, Registration No. 6455, whose address is 504 Richardson Building, Toledo, Ohio has violated section 4 II (i) 8 of the Act, Rules 3 and 4 of section V, Rules 1 and 2 of section XI, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, § 304.12 (b), 2, 3, 5 and 6 of the Rules and Regulations for the Registration of Distributors and paragraphs (b), (c), (e) and (f) of the agreement of The Elmer Miller Coal Company, as registered distributor, executed July 10, 1939, pursuant to Order of the National Bituminous Coal Commission dated March 24, 1939 in General Docket No. 12; and

(b) Whether or not the registration of said distributor should be revoked or suspended or other appropriate penalties should be imposed;

and for said purposes gives notice that information in possession of the Division is to the effect that:

2. During the period from September 30, 1940 to and including March 31, 1941, The Elmer Miller Coal Company sold coal produced by The Beaver Coal & Mining Company, a code member, at its mine located in District No. 8 to numerous purchasers below the effective

minimum prices, in violation of Rule 4 of section V and Rules 1 and 2 of section XI of the Marketing Rules and Regulations, § 304.12 (b) 2 and 5 of the Rules and Regulations for the Registration of Distributors, and paragraphs (b) and (e) of the agreement of The Elmer Miller Coal Company as registered distributor executed July 10, 1939, pursuant to Order of the National Bituminous Coal Commission dated March 24, 1939 in General Docket No. 12 as follows:

| Number of railroad cars | Size          | Sales price per ton f. o. b. mine | Effective minimum price per ton f. o. b. mine |
|-------------------------|---------------|-----------------------------------|---|
| 37.....                 | 6" block..... | \$2.85                            | \$2.95  |
| 3.....                  | 6" x 5".....  | 2.50                              | 2.85  |
| 3.....                  | 6" x 5".....  | 2.30                              | 2.85  |
| 1.....                  | 6" x 4".....  | 2.50                              | 2.75  |
| 9.....                  | 6" x 4".....  | 2.40                              | 2.75  |
| 2.....                  | 6" x 4".....  | 2.30                              | 2.75  |
| 21.....                 | 6" x 3".....  | 2.40                              | 2.50  |
| 6.....                  | 6" x 3".....  | 2.30                              | 2.50  |
| 3.....                  | 6" x 2".....  | 2.30                              | 2.40  |
| 1.....                  | 5" x 3".....  | 2.30                              | 2.40  |

3. During the period from September 30, 1940 to and including March 31, 1941, The Elmer Miller Coal Company sold coal produced by The Kenmont Coal Company, a code member, at its mine located in District No. 8 to numerous purchasers below the effective minimum prices, in violation of Rule 4 of section V and Rules 1 and 2 of section XI of the Marketing Rules and Regulations, § 304.12 (b) 2 and 5 of the Rules and Regulations for the Registration of Distributors, and paragraphs (b) and (e) of the agreement of The Elmer Miller Coal Company as registered distributor executed July 10, 1939, pursuant to Order of the National Bituminous Coal Commission dated March 24, 1939 in General Docket No. 12 as follows:

| Number of railroad cars | Size         | Sales price per ton f. o. b. mine | Effective minimum price per ton f. o. b. mine |
|-------------------------|--------------|-----------------------------------|---|
| 1.....                  | 5" x 4"..... | \$2.30                            | \$2.55  |
| 2.....                  | 5" x 4"..... | 2.20                              | 2.55  |
| 7.....                  | 5" x 3"..... | 2.10                              | 2.20  |
| 1.....                  | 5" x 3"..... | 2.00                              | 2.10  |
| 2.....                  | 5" x 3"..... | 1.90                              | 1.95  |

4. During the period from September 30, 1940 to and including March 31, 1941, The Elmer Miller Coal Company sold coal produced by The Clear Branch Mining Company, a code member, at its mine located in District No. 8 to numerous purchasers below the effective minimum prices, in violation of Rule 4 of section V and Rules 1 and 2 of section XI of the Marketing Rules and Regulations, § 304.12 (b) 2 and 5 of the Rules and Regulations for the Registration of Distributors, and paragraphs (b) and (e) of the agreement of The Elmer Miller Coal Company as registered distributor executed July 10, 1939, pursuant to Order of the National Bituminous Coal Com-

mission dated March 24, 1939 in General Docket No. 12 as follows:

| Number of railroad cars | Size             | Sales price per ton f. o. b. mine | Effective minimum price per ton f. o. b. mine |
|-------------------------|------------------|-----------------------------------|---|
| 1.....                  | 8" block.....    | \$2.95                            | \$3.05  |
| 90.....                 | 6" block.....    | 2.95                              | 3.05  |
| 10.....                 | 6" x 4".....     | 2.50                              | 2.85  |
| 30.....                 | 6" x 3".....     | 2.50                              | 2.60  |
| 9.....                  | 6" x 3".....     | 2.40                              | 2.60  |
| 5.....                  | 6" x 3".....     | 2.25                              | 2.35  |
| 1.....                  | 6" x 3".....     | 2.10                              | 2.25  |
| 45.....                 | 6" x 3".....     | 2.44                              | 2.56  |
| 3.....                  | 6" x 2 3/4"..... | 2.50                              | 2.60  |
| 1.....                  | 5" x 4".....     | 2.25                              | 2.35  |
| 13.....                 | 5" x 3".....     | 2.40                              | 2.50  |
| 4.....                  | 5" x 3".....     | 2.25                              | 2.35  |
| 1.....                  | 5" x 3 1/2"..... | 2.50                              | 2.85  |
| 2.....                  | 5" x 2".....     | 2.15                              | 2.30  |
| 1.....                  | 2" block.....    | 2.15                              | 2.30  |

5. The Elmer Miller Coal Company in reporting the transactions referred to in paragraphs 2, 3, and 4 hereof, to the Division wilfully and knowingly made or caused to be made and filed with Statistical Bureau No. 8 of the Division false and untrue invoices in violation of section 4 II (1) 8 of the Act, Rule 3 of section V, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, § 304.12 (b) 3, 5, and 6 of the Rules and Regulations for the Registration of Distributors and paragraphs (c), (e), and (f) of the agreement of The Elmer Miller Coal Company as registered distributor, pursuant to Order of the National Bituminous Coal Commission dated March 24, 1939 in General Docket No. 12.

It is therefore ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether the registration of said distributor should be revoked or suspended, or other appropriate penalties be imposed, be held on June 6, 1941, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Federal Building and Post Office, Catlettsburg, Kentucky.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said defendant, and to all other parties herein and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer to the charges alleged herein must be filed with the Bituminous Coal Division at its Washington Office or with any one of the statistical bureaus of the Division, within ten (10) days after date of service thereof on the defendant; and that any defendant failing to file an answer within such period, unless the Director or the presiding officer shall otherwise order, shall be deemed to have admitted the alleged charges and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: May 6, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3316; Filed, May 7, 1941;  
11:31 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Surplus Marketing Administration.

[Docket No. AO-71-A5]

#### DAIRY DIVISION

NOTICE OF HEARING WITH RESPECT TO AMENDMENTS TO ORDER NO. 27, AS AMENDED, AND THE TENTATIVELY APPROVED MARKETING AGREEMENT REGULATING THE HANDLING OF MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

Whereas pursuant to the powers conferred upon the Secretary of Agriculture by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, the Secretary issued, effective May 1, 1940, Order No. 27,<sup>1</sup> as amended, regulating the handling of milk in the New York metropolitan milk marketing area; which was further amended by the issuance of Amendment No. 1,<sup>2</sup> effective 11:59 p. m., February 28, 1941; and

Whereas the Secretary, on December 9, 1940, tentatively approved a marketing agreement regulating the handling of milk in the New York metropolitan milk marketing area; and

Whereas the Secretary has reason to believe that the declared policy of the act will be effectuated by the holding of a hearing to receive evidence concerning said tentatively approved marketing

<sup>1</sup> 5 F.R. 1258.

<sup>2</sup> 5 F.R. 4970.

agreement and said Order No. 27, as amended, and amendments thereto which may be proposed, and to review present marketing conditions affecting milk produced for sale in the New York metropolitan milk marketing area in order to determine what amendments, if any, should be made to said order, as amended, and to said tentatively approved marketing agreement:

Now, therefore, pursuant to the aforesaid act and general regulations issued thereunder, notice is hereby given of a hearing to be held, beginning at 10:00 a. m., e. d. s. t., May 14, 1941, at the St. George Hotel, Brooklyn; and 10:00 a. m., e. d. s. t., May 16, 1941, in the State Office Building, Albany, New York. At the hearing, evidence will be received concerning any provisions of said order, as amended, and said tentatively approved marketing agreement, and evidence will also be received concerning marketing conditions affecting milk produced for sale in the New York metropolitan milk marketing area, in order that a determination may be made as to what further amendments, if any, should be made to said order and to said tentatively approved marketing agreement.

Proposals to amend Order No. 27, as amended, filed with the Hearing Clerk up to and including May 5 in response to announcement made April 23, 1941, deal with:

1. Definitions of "producer," and of "handler."
2. Prices for Class I milk and other classes.
3. Classification of milk.
4. Transportation differentials on Class I milk, and the skim milk adjustment.
5. Payments to cooperatives.
6. Diversion payments.
7. Location, butterfat, and other differentials.
8. Other provisions of the program.

Copies of this notice and of Order No. 27, as amended, now in effect, may be procured at the office of the Market Administrator, 383 Madison Avenue, New York City, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Room 0310 South Building, Washington, D. C., or may be there inspected.

[SEAL]

CLAUDE R. WICKARD,  
Secretary of Agriculture.

Dated: May 6, 1941.

[F. R. Doc. 41-3322; Filed, May 7, 1941;  
11:42 a. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

#### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than

the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530)

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393)

Textile Determination and Order, November 8, 1939 (4 F.R. 4531) as amended April 27, 1940 (5 F.R. 1586)

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302)

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective May 8, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

#### NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Bangor Shirt Corporation, Incorporated, C. K. Eagle Building, Shamokin, Pennsylvania; Apparel; Shirts; 10 percent (75% of the applicable hourly minimum wage); July 31, 1941.

Big Jack Manufacturing Company, Inc., Fourth Street, Bristol, Tennessee; Apparel; Overalls, Pants, Coats; 75 learners (75% of the applicable hourly minimum wage); September 11, 1941.

Big Jack Manufacturing Company, Lee and Sycamore Street, Bristol, Virginia; Apparel; Work Pants & Shirts; 30 learners (75% of the applicable hourly minimum wage); September 11, 1941.

Buffalo Faultless Pants Company, Inc., 133 South Division Street, Buffalo, New York; Apparel; Trousers; 10 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Cherry and Company, 306 Market Street, Philadelphia, Pennsylvania; Apparel; Children's Coats, Snowsuits, Toddlers' Sunsuits; 3 learners (75% of the applicable hourly minimum wage); May 8, 1942.

Cotton City Wash Frocks, Inc., 52 Twelfth Street, Fall River, Massachusetts; Apparel; Cotton Dresses, Playsuits, Housecoats; 30 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Dixie Manufacturing Company #2 Inc., Bailey Street, Columbia, Tennessee; Apparel; Overalls, Coveralls, Overall Jackets, Dungarees; 5 percent (75% of the applicable hourly minimum wage); May 8, 1942.

Dorothy Manufacturing Company, 36 Frances Place, Keansburg, New Jersey; Apparel; Children's Dresses, Infants' Outerwear; 10 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Ely & Walker Sportswear and Outerwear Plant, Delmar & East "B" Streets, Belleville, Illinois; Apparel; Sport Coats & Outerwear; 40 learners (75% of the applicable hourly minimum wage); September 4, 1941.

The H. W. Gossard Company, Market and Sixth Streets, Logansport, Indiana; Apparel; Corsets; 5 percent (75% of the applicable hourly minimum wage); May 8, 1942.

Iron King Overall Company, 126 West Fayette Street, Baltimore, Maryland; Apparel; Men's Work Clothes, Overalls, Pants; 15 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Kozam Negligee, 539 28th Street, Union City, New Jersey; Apparel; Housecoats; 3 learners (75% of the applicable hourly minimum wage); May 8, 1942.

William Lipson & Company, 116 Harrison Avenue, Boston, Massachusetts; Apparel; Boys' & Men's Jackets, Finger-Tip Coats & Mackinaws; 5 learners (75% of the applicable hourly minimum wage); May 8, 1942.

Lowman, Incorporated, 1925 Eighth Avenue, Seattle, Washington; Apparel; Dresses, Sportswear; 5 learners (75% of the applicable hourly minimum wage); May 8, 1942.

Manna Dress Shop, 50 Autumn Street, Lodi, New Jersey; Apparel; Ladies' Dresses; 3 learners (75% of the applicable hourly minimum wage); May 8, 1942.

Maxwell Cloak Company, 502 Liberty Street, Camden, New Jersey; Apparel; Army Field Jackets; 10 percent (75% of the applicable hourly minimum wage); July 31, 1941.

Jacob Nathanson & Company, 404 South Racine Street, Chicago, Illinois; Apparel; Cotton Wash Dresses; 5 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Phillips-Jones Corporation, 323 Mauch Chunk Street, Pottsville, Pennsylvania; Apparel; Dress Shirts & Pajamas; 5 percent (75% of the applicable hourly minimum wage); May 8, 1942.

Rogol Dress Company, 404 Jefferson Street, Camden, New Jersey; Apparel; Dresses; 5 learners (75% of the applicable hourly minimum wage); May 8, 1942.

States Manufacturing Company, Inc., New Bedford, Massachusetts; Apparel; Ladies' Cotton Underwear; 85 learners

(75% of the applicable hourly minimum wage); September 4, 1941.

Style Specialists, Inc., Twelfth & Laurel Streets, Pottsville, Pennsylvania; Apparel; Robes; 5 percent (75% of the applicable hourly minimum wage); May 8, 1942.

Tiny Grace Frocks, "I" and Ontario Streets, Philadelphia, Pennsylvania; Apparel; Children's Dresses; 20 learners (75% of the applicable hourly minimum wage); September 4, 1941.

Uni-Sportswear Company, 210 West Van Buren Street, Chicago, Illinois; Apparel; Shirts, Cotton & Rayon Jackets; 10 learners (75% of the applicable hourly minimum wage); September 4, 1941.

C. Dillenback & Sons, 140 East State Street, Johnstown, New York; Gloves; Knit Wool Gloves; 2 learners; May 8, 1942.

Knoxville Glove Company, 815 McGhee Avenue, Knoxville, Tennessee; Gloves; Work Gloves; 5 per cent; May 8, 1942.

Oneonta Glove Company, Inc., 42 Market Street, Oneonta, New York; Gloves; Knit Fabric Gloves; 5 learners; May 8, 1942.

Ray Brothers Glove Company, Inc., 1701 N. Ashland Avenue, Chicago, Illinois; Gloves; Leather Dress Gloves; 5 learners; November 8, 1941.

Mr. Leon F. Swears, 111 N. Perry Street, Johnstown, New York; Gloves; Knit Wool Gloves; 15 learners; November 8, 1941.

Carroll Silk Hosiery Mills, Inc., Hillsville, Virginia; Hosiery; Full fashioned Hosiery; 15 learners; November 8, 1941.

Fremont Hosiery Mills, Thomasville, N. C.; Hosiery; Seamless Hosiery; 17 learners; January 8, 1942.

Park Hosiery Dyeing & Finishing Co., Inc., Pottstown, Pennsylvania; Hosiery; Full fashioned Hosiery; 7 learners; January 8, 1942.

E. G. Bannigan Company, Inc., 20th and Alter Street, Hazelton, Pennsylvania; Textile; Silk Throwing; 48 learners; October 30, 1941.

Blue Ridge Cord Company, Locust Street, Hendersonville, North Carolina; Textile; Cordage; 3 learners; May 8, 1942.

Shapiro & Son Curtain Corporation, 659 North 13th Street, Easton, Pennsylvania; Textile; Curtains & Bedspreads; 50 learners; September 11, 1941.

Wintuft Corporation, Ringgold, Georgia; Textile; Chenille Bedspreads; 5 percent; May 8, 1942.

Wintuft Corporation, Ringgold, Georgia; Textile; Chenille Bedspreads; 50 learners; October 23, 1941.

Worcester Braiding Company, 161 Summer Street, Worcester, Massachusetts; Textile; Braids & Shoe Laces; 6 learners; August 7, 1941.

Signed at Washington, D. C., this 7th day of May 1941.

MERLE W. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-3320; Filed, May 7, 1941;  
11:41 a. m.]

# NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective May 8, 1941.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME, AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Wisconsin Ceramic Corporation, Pitts-ville, Wisconsin; Dripless Milk, Cream and Tea Pots; 2 learners; 8 weeks for any one learner; 25 cents per hour; Caster, Finisher, Glazer; September 25, 1941.

Signed at Washington, D. C., this 7th day of May 1941.

MERLE W. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-3321; Filed, May 7, 1941;  
11:41 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. G-177]

IN THE MATTER OF CAMDEN GAS CORPORATION V. ARKANSAS LOUISIANA GAS COMPANY

ORDER GRANTING APPLICATION FOR EXTENSION OF TIME AND POSTPONING DATE FOR ORAL ARGUMENT

MAY 6, 1941.

Upon joint application of the complainant and respondent for an extension of time within which to comply with the order of the Commission of April 25, 1941;

The Commission orders that:

(A) An extension of time from May 10, 1941, to May 20, 1941, within which complainant and respondent shall comply with the requirements of the second paragraph of the order of April 25, 1941, is hereby granted; and

(B) Oral argument, originally scheduled for May 15, 1941, shall be heard by the Commission, sitting *en banc*, on June 2, 1941, at 9:45 a. m. in the Hearing Room of the Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 41-3310; Filed, May 7, 1941;  
9:43 a. m.]

[Docket No. IT-5681]

IN THE MATTER OF INDIANA HYDRO-ELECTRIC POWER COMPANY

ORDER POSTPONING HEARING

MAY 6, 1941.

It appearing to the Commission that: Good and sufficient reason has been presented by Respondent's petition filed May 3, 1941, for postponement of the hearing heretofore set for May 12, 1941;

The Commission orders that: The hearing heretofore set by the Commission's order of April 15, 1941, to commence on May 12, 1941, be and it hereby is postponed until May 19, 1941, at 9:45 A. M., in Room 582, United States Court House, Chicago, Illinois.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 41-3311; Filed, May 7, 1941;  
9:44 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-21]

IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 5th day of May, A. D. 1941.

Acting upon an application, and amendments thereto, duly made by International Utilities Corporation, a registered holding company, pursuant to section 10 (a) (1) of the Public Utility Holding Company Act of 1935, we have, by orders dated June 3, 1940,<sup>1</sup> November 27, 1940,<sup>2</sup> and January 17, 1941<sup>3</sup> approved the purchase by International Utilities Corporation from time to time in the over-the-counter market of \$442,500 principal amount of Collateral Trust Bonds 6½% Series due July 1, 1945 of its subsidiary, Dominion Gas and Electric Company.

<sup>1</sup> In the Matter of International Utilities Corporation, 7 S.E.C. 377, Holding Company Act Release No. 2092.

<sup>2</sup> In the Matter of International Utilities Corporation, 8 S.E.C. —, Holding Company Act Release No. 2398.

<sup>3</sup> In the Matter of International Utilities Corporation, 8 S.E.C. —, Holding Company Act Release No. 2496.

In an amendment to the application aforesaid International Utilities Corporation now makes application for approval of the purchase of an additional \$1,000,000 principal amount of the said bonds, to be purchased in the same manner as heretofore approved.

We have examined the instant application in the light of the information and data adduced at the hearing heretofore held in this connection and contained in the record and find that there has been no material change in the situation since we made and published findings and opinions in connection with the orders above referred to. The same considerations obtain, we reiterate the conclusions stated in the said findings and opinions, and find that with respect to the proposed acquisition, no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act and that the transaction has the tendency required by section 10 (c) (2) of said Act.

Accordingly, *It is ordered*, That the said application, as amended, insofar as the same concerns the purchase of \$1,000,000 principal amount of Collateral Trust Bonds 6½% Series due July 1, 1945, of Dominion Gas and Electric Com-

pany, in addition to \$442,500 principal amount of said bonds authorized to be purchased by previous orders of this Commission, be, and the same hereby is, approved subject to the terms and conditions prescribed in Rule U-24 and subject to the following additional terms and conditions:

(1) That the applicant report to this Commission on the first and fifteenth day of each month following the date of our Order all acquisitions of bonds under this program. Such report shall specify the amounts thereof, the cost per unit, the amount of commission and any other fees paid in connection with such acquisitions, name and address of each broker or dealer, the total price for each purchase, the name and address of the vendor at any private sale, and where possible the name and address of the beneficial owners of any bond offered by such vendor;

(2) That all bonds purchased at private sale shall be paid for at a price (including fees if any) not to exceed the price (excluding brokerage fees) at which such bonds were last sold in a reported sale, to which sale neither the

applicant nor the prospective seller nor any person acting in behalf of either was a party;

(3) That no bonds shall be purchased from any person or company in any way associated or affiliated with International Utilities Corporation, including Chandler & Company, Inc., except in a transaction at current market price and wherein the affiliated or associated person or company functions solely as broker and receives as compensation no more than the customary brokerage fees; and

(4) That this order shall be summarily revokable if at any time this Commission shall deem the circumstances are such as to make further purchases no longer compatible with the public interest or the interest of investors and consumers. In any event this order shall expire on December 31, 1941.

By the Commission (Chairman Eicher, Commissioners Healy, Henderson and Pike).

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-3319; Filed, May 7, 1941;  
11:38 a. m.]

